

recent telephone conference, and it is requested that the Office Action of May 3, 2005 be set aside. This is the first Amendment and response sent to the Patent Office that is substantively directed to the Office Action of March 29, 2005.

STATUS

The status of the claims is as follows:

<u>CLAIMS</u>	<u>STATUS-----</u>
1 through 20	Original claims, cancelled by this Amendment.
21 through 40	Presented by this Amendment.

AMENDMENTS

IN THE SPECIFICATION

Please make the following amendments:

On page 9, at the bottom of the page, after line 21, insert the following new paragraph:

--Figures 11 and 12 show bottom views of additional present invention container dispenser device embodiments.—

On Page 10, after line 14, insert the following new paragraph:

-- As can be seen in Figure 1 and in Figures 3 and 4 below, the height of the dispensing tube 11 is greater than the diameter of the circular base member 3.--

On page 11, line 11, delete "liquid70" and insert --liquid 70-- in its place.

On page 12, line 10, delete "dip 2," and insert --dip tube-- in its place.

On page 13, after line 17, insert the following new paragraph:

--Figures 11 and 12 show bottom views of additional present invention container dispenser devices 310 and 410, respectively. Device 310 of Figure 11 includes a base member 311, an elliptical dispensing tube 313 with orifice 315, and fins 317, 319, 321, 323, 325 and 327, as shown. Device 410 of Figure 12 includes a base member 411, a square dispensing tube 413 with orifice 415, and fins such as fins 417 and 419, as shown.--

The following is the new paragraph that begins after page 9, line 21:

Figures 11 and 12 show bottom views of additional present invention container dispenser device embodiments.

The following is a new paragraph that begins on page 10, after line 14:

As can be seen in Figure 1 and in Figures 3 and 4 below, the height of the dispensing tube 11 is greater than the diameter of the circular base member 3.

The following is the corrected paragraph that begins on page 10, line 21:

Figures 3 and 4 show partial, cut views of a container 40 with the Figure 1 present invention device 1 inserted under screw cap 50 with orifice 9 and dispensing tube 11 in alignment with cap orifice 51. In its upright and pouring positions, respectively. In Figure 3, container 40 holds a separable liquid mixture, such as ketchup or mustard. Here, the ketchup 60 has a layer of juicy, watery liquid 70 atop it. When container 40 is tipped for pouring, as in Figure 4, the watery liquid 70 travels mostly down the sides and onto the bottom 7 of present invention device 1. The dispensing tube 11 stops the liquid 70 from flowing out and permits a portion 61 of the major content ketchup 60 to flow out of the container orifice 51. Through agitation of tipping and contact with the mixing fins, such as mixing fins 13, and 15, and in some cases, also through sequencing of the contains, the undesirably separated juicy watery liquid 70 is mixed back into the ketchup 60, thereby solving two problems, namely, keeping the undesired liquid 70 from being dispensed, and, eliminating it by admixing it back into the major liquid (ketchup 70).

The following is the corrected paragraph that begins on page 12, line 4:

Figure 6 shows a partially cut, front view of another present invention device 110, in the form of a container dispenser cap device. Device 110 includes a base member 113 with sidewall 111, to create a cap. In this case, it is a snap cap and relies on ridge 115 for fittage and closure. This embodiment eliminates a conventional cap and performs both a cap function and the function of the present invention devices described above. In this embodiment, dip 2, 121, feeds to cap dispensing orifice, 119. Vertical mixing rods 123, 125, 127, 129, 131, and others act to agitate separated mixtures and combine them.

The following is the new paragraph that begins after page 9, line 21:

Figures 11 and 12 show bottom views of additional present invention container dispenser devices 310 and 410, respectively. Device 310 of Figure 11 includes a base member 311, an elliptical dispensing tube 313 with orifice 315, and fins 317, 319, 321, 323, 325 and 327, as shown. Device 410 of Figure 12 includes a base member 411, a square dispensing tube 413 with orifice 415, and fins such as fins 417 and 419, as shown.